



Electronic Case Filing (ECF) -

Frequently Asked Questions (FAQ's)

How are documents prepared?

Attorneys create documents on their own computers, just as they do now. However, instead of printing the documents out on paper and delivering them to the Court, the attorneys save the documents in a portable document format. This allows other system users to view the documents in their original format regardless of the type of computer or word processing system originally used to create the documents or being used to view them.

How do I file electronically?

Attorneys access the Court's electronic filing system over the Internet. After establishing their identity by entering a Court-assigned user identification code and password, attorneys enter the following information:

- the case number in which their document is being filed
- the name of the party for whom the document is being filed
- the type of document being submitted (answer, answer with cross-claim, etc.)

The document is then transmitted to the Court's computer.

What happens next?

Once the document is received by the Court, the electronic filing system:

- sends a receipt to the filer verifying that the document has been received and filed
- updates the docket sheet
- makes the updated docket sheet and the document itself immediately available to anyone with access to the system
- sends a notice of the filing to all parties who have agreed to receive electronic notice

What if the document was not created on a computer?

The Court seeks to have as many documents as reasonably possible filed electronically. The Court recognizes, however, that some documents may not be available in electronic format, for example, certain medical records. Nevertheless, many of those documents can be easily and inexpensively scanned for electronic filing. Documents or objects that cannot reasonably be scanned, such as certain exhibits, will be filed and served in the traditional manner. Advance planning will help avoid the need to make last minute decisions on such matters.

Are any documents precluded from being filed electronically?

Electronic filing of the initial pleading in a case is currently not permitted because the system does not yet have a mechanism for electronically collecting filing fees, although that may change in the future. In addition, other documents that may not be filed electronically are listed in W.D. Mich. LCivR 5.7.

What are the benefits?

Electronic filing streamlines the typically time-consuming and costly process of delivering legal documents to the Court and sending copies to all the parties in the litigation. The system also improves access to Court records by making documents available even when the Courthouse is otherwise closed for business.

Who decides if it will be used?

The Court strongly encourages electronic filing in all civil cases. Attorneys may file electronically in any case being maintained electronically by the Court, unless the Court orders otherwise. If filings must be made on paper, attorneys are strongly urged to accompany all paper filings with a diskette or CD ROM of their papers in PDF digital format, so that the document can be added to the electronic case file.

Which cases are best suited?

Electronic filing is suitable for nearly all civil cases. The only civil cases specifically excluded from electronic filing are those that are filed under seal.

What do I need to do?

An attorney seeking to file documents electronically in the Western District of Michigan must:

- be admitted to practice in this Court
- complete an electronic filing registration form

Upon receipt of this form, the Court will:

- issue a user identification code and password that will permit access to the system and serve as that attorney's signature on all documents filed for Fed. R. Civ. P. 11 and other purposes

Attorneys must safeguard their passwords and notify the Court if they learn that a password has been compromised.

What equipment do I need?

In order to file electronically in this Court, parties need the following:

- a computer running a Windows or a Macintosh operating system
- Adobe Acrobat Writer 3.0 or higher (or other software) to convert documents from a word processor format to portable document format (PDF)
- a PDF-compatible word processor like Macintosh or Windows-based versions of WordPerfect and Word
- Internet access supporting a transfer rate of 28.8 kbs or higher
- Browser software (Netscape or Internet Explorer). Please refer to the CM/ECF login screen for the latest information on recommended versions of browser software.

- access to a scanner to image non-computerized documents (optional)

An additional requirement for viewing docket sheets and electronically-filed documents:

- a PACER (Public Access to Court Electronic Records) account

What if something goes wrong?

While the electronic filing system is expected to be highly reliable, the Clerk's Office has established a Help Desk to assist if problems occur. The Help Desk will be staffed weekdays from 8:00 a.m. to 5:00 p.m. and can be reached by telephone at (616) 456-2206, (800) 290-2742, or via e-mail at ecfhelp@miwd.uscourts.gov.

Is the system secure?

The electronic filing system has several layers of security. First, an identification code and password are required to access the system. Second, documents are encrypted and transmitted through Netscape's Secure Sockets Layer. Last, the electronic receipt issued by the Court contains a unique validation code that works along with the portable document format to ensure that documents cannot be altered after being received by the Court.

Is training available?

On an on-going basis, attorneys and law firm staff can arrange for training in the use of the electronic filing system by contacting the Clerk's Office at any Court location or by calling the ECF Help Desk at (616) 456-2206, (800) 290-2742, or e-mailing at ecfhelp@miwd.uscourts.gov. A link to the training page, as well as an on-line tutorial is available on the Court's web page (<http://www.miwd.uscourts.gov>) under Electronic Filing.

Where can I learn more?

Additional information about electronic filing can be obtained from the Court's web page or from the Clerk's Office. Available materials on the web page include: attorney admission and electronic filing registration forms, a "User Manual" and this list of Frequently Asked Questions.